

48A C.J.S. Judges § 174

Corpus Juris Secundum | August 2023 Update

Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D.; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

VI. Authority, Powers, and Duties

G. Territorial Limitations

§ 174. Effect of subdivided circuit, district, or county; districts consisting of more than one county

[Topic Summary](#) | [References](#) | [Correlation Table](#)

West's Key Number Digest

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Where the judicial circuit, county, or district is subdivided, the jurisdiction or power of the judge of the circuit, county, or district is coextensive and is not limited to any particular subdivision.

Where the judicial circuit, county, or district is subdivided, the jurisdiction or power of a judge of the circuit, county, or district is coextensive and is not limited to any particular subdivision.¹ Under a statute providing that a circuit judge has authority to preside over proceedings in any courtroom, in any county, within the judicial district for which that judge has been elected, the circuit judge has authority to preside over a criminal proceeding within the judicial district for which he or she was elected although the crimes are charged in a different county within the district.² However, where a district is composed of several counties, a judge cannot, while sitting in one county of the district, sit as a court as to other counties of the district.³

Rotation of judges.

Under a constitutional provision authorizing the judges of a district to hold court for each other, it is a permissible practice for two judges sitting in a district consisting of several counties to rotate throughout the entire district, with one judge sitting in certain counties for one six-month period, and the other judge sitting in other counties for the same period; accordingly, one judge may act in counties being served by the other judge.⁴

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Footnotes

- 1 Ark.—Davis v. Reed, 316 Ark. 575, 873 S.W.2d 524 (1994).
Fla.—Chanin v. Feigenheimer, 111 So. 3d 292 (Fla. 4th DCA 2013).
Ky.—Baze v. Com., 276 S.W.3d 761 (Ky. 2008).
Tex.—Mullins v. Mullins, 300 S.W.2d 133 (Tex. Civ. App. Galveston 1957).
- 2 Ark.—Davis v. Reed, 316 Ark. 575, 873 S.W.2d 524 (1994).
Acceptance of guilty plea
Ga.—Barksdale v. Ricketts, 233 Ga. 60, 209 S.E.2d 631 (1974).
- 3 La.—Tanner v. Beverly Country Club, 217 La. 1043, 47 So. 2d 905 (1950).
Tex.—National Bank of Commerce v. Lone Star Milling Co., 152 S.W. 663 (Tex. Civ. App. Amarillo 1912).
- 4 Neb.—State v. Rader, 223 Neb. 741, 393 N.W.2d 60 (1986).

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